

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

Leon Hunt as Personal Representative of
ESTATE OF JOHN PAUL O'NEAL,
Deceased, BARBARA O'NEAL, and
JEFFREY SHAYNE GOTREAUX,

Plaintiffs,

vs.

No. 1:18-cv-1077-KG-JFR

JUST IN TIME CARGO, INC., a California
Corporation, Individually and d/b/a JITC, and
LUCAS RICHARD FODOR, an Individual, and
DEUTSHCE POST DHL and DHL
INTERNATIONAL GmbH,

Defendants.

ORDER TO SUBMIT ORDER OF DISBURSEMENT

The parties have notified the Court that they have reached a negotiated resolution in this matter and that all settlement funds have been exchanged between the parties. *See* Notice (Doc. 194). Pursuant to their Notice, however, Plaintiffs request disbursement of the \$30,000 placed in the Court registry on August 12, 2020, by Great Western. *Id.* at 2. The parties shall submit a draft order for disbursement to the Court for consideration. Integrated into that order must be the following:

- 1) Payee(s);
- 2) Payee(s) mailing address;
- 3) Principal amount to be disbursed to each payee; and
- 4) Interest amount. **Since this \$30,000.00 was deposited into an interest-bearing account, it is earning interest daily which means this amount changes daily. Rather than the order specifying a specific interest amount to be disbursed it is best practice for the order to say "Plus applicable interest" or, if there are multiple payees receiving interest, it is best if the order prorates the interest using a percentage.** For example: "\$30,000.00 plus applicable interest should be disbursed to John Doe." Or if multiple payees: "\$15,000.00 plus 50 percent interest should be

disbursed to John Doe and \$15,000 plus 50 percent interest should be disbursed to Jane Doe.”

Wherefore,

IT IS HEREBY ORDERED THAT a draft order for disbursement shall be submitted no later than **MARCH 22, 2023**, absent a request showing good cause for an extension.



UNITED STATES DISTRICT JUDGE